

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

JOHN STUART,

Defendant.

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**21-CR-07-LJV-JJM**

**NOTICE OF MOTION**

**MOTION BY:**

Jeffrey T. Bagley, Assistant Federal Public  
Defender

**DATE, TIME & PLACE:**

Before the Honorable Jeremiah J. McCarthy, United  
States Magistrate Court Judge, Robert H. Jackson  
United States Courthouse, 2 Niagara Square,  
Buffalo, New York, **on the papers submitted.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
Jeffrey T. Bagley, dated March 21, 2023

**RELIEF REQUESTED:**

Three-week extension of time to file further  
motions.

**DATED:**

Buffalo, New York, March 21, 2023.

Respectfully submitted,

**/s/ Jeffrey T. Bagley**

Jeffrey T. Bagley  
Assistant Federal Public Defender  
Federal Public Defender's Office  
300 Pearl Street, Suite 200  
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(716) 551-3341, (716) 551-3346 (Fax)  
jeffrey\_bagley@fd.org  
*Counsel for Defendant John Stuart*

**TO:** David J. Rudroff  
Assistant United States Attorney

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**AFFIRMATION**

**JEFFREY T. BAGLEY**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and I represent the defendant, John Stuart, in the instant matter.

2. After oral argument held on March 13, 2023, this Court set a deadline for the defendant to formally file any motions that were referenced in Mr. Stuart's reply to his motion to compel.

3. I respectfully request a three-week extension of this date.

4. Since that time, I have communicated with other attorneys throughout the country handling similar cases. I plan to file a motion to vacate or modify the protective order, allowing the attorneys to better communicate with each other. The outcome of that motion may impact the nature of the motion now due tomorrow.

5. I contacted Assistant United States Attorney David Rudroff who informed me that he has no objection to the extension request.

**WHEREFORE**, it is respectfully requested that the defense's response date be extended by three weeks.

**DATED:** Buffalo, New York, March 21, 2023

Respectfully submitted,

**/s/ Jeffrey T. Bagley**

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**TO:** David J. Rudroff  
Assistant United States Attorney